IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2249 OF 2004

Mr. Jeroma Rudolf Baptista ..Petitioner.
Vs.
The Brihanmumbai Mahanagar Palika & Ors. ..Respondents.

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Mr. A.C. Singh i/b S. K. Sthalekar for the petitioner.
Ms. A.K. Savla for Respondent No.1.
Mr. G.V. Murti for Respondent No.2.

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CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J,

27h August, 2004.

P.C. :

1. The petitioner is aggrieved by the order dated 16th July, 2004 passed by the Municipal Corporation of Greater Mumbai. Admittedly, this order has been passed after hearing the petitioner and the respondents. The Assistant Municipal Commissioner who passed the order had also examined number of documents submitted by the parties. After examining the documents and hearing the learned counsel for the parties, the Assistant Municipal Commissioner came to a definite finding that the petitioner has

made unauthorized construction on plot bearing CTS No.1085/2 and directed demolition of the unauthorized construction. We find no infirmity in the order. This petition, being totally devoid of any merit, is dismissed.

2. The learned counsel for the petitioner submits, on instructions of the petitioner who is personally present in the Court, that two months time may be granted to remove the unauthorized construction. The time as prayed is granted on the undertaking of the petitioner that the unauthorized construction as directed shall be removed within a period of two months from today.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.